

HOUSE BILL 855

C7, F1

2lr2837

By: **Delegate Conaway**

Introduced and read first time: February 9, 2012

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **State Lottery Agency – Education Lottery**

3 FOR the purpose of requiring the State Lottery Agency to conduct a certain monthly
4 lottery for the benefit of the public school systems in the State; requiring the
5 Comptroller to pay to the public school systems in the State a certain
6 percentage of the money that remains in the State Lottery Fund from the
7 proceeds of a certain lottery after a certain distribution; requiring the Agency to
8 meet certain advertising criteria in conducting the lottery; specifying that the
9 proceeds distributed under this Act to a public school system are intended to
10 provide additional revenue distributed to public school systems; defining a
11 certain term; and generally relating to lotteries conducted by the State Lottery
12 Agency.

13 BY repealing and reenacting, with amendments,
14 Article – State Government
15 Section 9–120
16 Annotated Code of Maryland
17 (2009 Replacement Volume and 2011 Supplement)

18 BY adding to
19 Article – State Government
20 Section 9–120.2
21 Annotated Code of Maryland
22 (2009 Replacement Volume and 2011 Supplement)

23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
24 MARYLAND, That the Laws of Maryland read as follows:

25 **Article – State Government**

26 9–120.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) The Comptroller shall distribute the State Lottery Fund to pay:

2 (1) on a pro rata basis for the daily and nondaily State lottery games,
3 the expenses of administering and operating the State lottery, as authorized under
4 this subtitle and the State budget; and

5 (2) then, except as provided in § 10–113.1 of the Family Law Article
6 and § 11–618 of the Criminal Procedure Article, the holder of each winning ticket or
7 share.

8 (b) (1) Promptly after the 1st day of each month, the Comptroller shall
9 pay:

10 (i) into the Maryland Stadium Facilities Fund the money that
11 remains in the State Lottery Fund from the proceeds of the sports lotteries conducted
12 for the benefit of the Maryland Stadium Authority, after the distribution under
13 subsection (a) of this section; [and]

14 **(II) TO THE PUBLIC SCHOOL SYSTEMS IN THE STATE 20% OF**
15 **THE MONEY THAT REMAINS IN THE STATE LOTTERY FUND FROM THE**
16 **PROCEEDS OF AN EDUCATION LOTTERY CONDUCTED EACH MONTH UNDER §**
17 **9–120.2 OF THIS SUBTITLE, AFTER THE DISTRIBUTION UNDER SUBSECTION (A)**
18 **OF THIS SECTION; AND**

19 **[(ii)] (III)** into the General Fund of the State the money that
20 remains in the State Lottery Fund from the proceeds of all other lotteries after the
21 distribution under subsection (a) of this section.

22 (2) The money paid into the General Fund under this subsection is
23 available in the fiscal year in which the money accumulates in the State Lottery Fund.

24 (c) The regulations of the Agency shall apportion the money in the State
25 Lottery Fund.

26 **9–120.2.**

27 **(A) IN THIS SECTION, “PUBLIC SCHOOL SYSTEM” MEANS THE**
28 **COLLECTION OF PUBLIC ELEMENTARY AND SECONDARY EDUCATION SCHOOLS**
29 **UNDER THE CONTROL OF A COUNTY BOARD OF EDUCATION OR THE BOARD OF**
30 **SCHOOL COMMISSIONERS OF BALTIMORE CITY.**

31 **(B) ON THE FIRST DAY OF EACH MONTH, BEGINNING ON NOVEMBER 1,**
32 **2012, THE AGENCY SHALL CONDUCT AN EDUCATION LOTTERY FOR THE**
33 **BENEFIT OF THE PUBLIC SCHOOL SYSTEMS IN THE STATE.**

1 **(C) IN ALL ADVERTISING AND ON ALL TICKETS, THE AGENCY SHALL**
2 **IDENTIFY ANY LOTTERY CONDUCTED UNDER THIS SECTION AS BEING**
3 **CONDUCTED FOR THE BENEFIT OF THE PUBLIC SCHOOL SYSTEMS IN THE**
4 **STATE.**

5 **(D) (1) THE AMOUNT DISTRIBUTED TO EACH PUBLIC SCHOOL SYSTEM**
6 **UNDER THE DISTRIBUTION REQUIREMENT UNDER § 9-120(B)(1)(II) OF THIS**
7 **SUBTITLE SHALL BE PROPORTIONATE TO THE AMOUNT OF SALES OF LOTTERY**
8 **TICKETS MADE IN THE POLITICAL SUBDIVISION IN WHICH THE PUBLIC SCHOOL**
9 **SYSTEM IS LOCATED.**

10 **(2) EACH PUBLIC SCHOOL SYSTEM SHALL USE THE MONEY FROM**
11 **THE SALE OF STATE LOTTERY TICKETS THAT IS DISTRIBUTED UNDER §**
12 **9-120(B)(1)(II) OF THIS SUBTITLE FOR:**

13 **(I) CLASSROOM STAFF; AND**

14 **(II) INSTRUCTIONAL MATERIALS.**

15 **(E) THE PROCEEDS PAID INTO THE GENERAL FUND UNDER §**
16 **9-120(B)(1)(II) OF THIS SUBTITLE SHALL BE USED TO HELP PROVIDE AN**
17 **ADEQUATE EDUCATION FOR THE STUDENTS ATTENDING PUBLIC SCHOOLS IN**
18 **THE STATE IN PREKINDERGARTEN THROUGH GRADE 12 THROUGH THE BRIDGE**
19 **TO EXCELLENCE IN PUBLIC SCHOOLS PROGRAM, ENACTED BY CHAPTER 288**
20 **OF THE ACTS OF THE GENERAL ASSEMBLY OF 2002.**

21 **(F) A DISTRIBUTION UNDER § 9-120(B)(1)(II) OF THIS SUBTITLE IS**
22 **INTENDED TO PROVIDE ADDITIONAL REVENUE FOR PUBLIC SCHOOL SYSTEMS**
23 **AND MAY NOT SUPPLANT ANY OTHER REVENUE DISTRIBUTED TO PUBLIC**
24 **SCHOOL SYSTEMS.**

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 2012.